



## CITIZENS COMMISSION ON POLICE ACCOUNTABILITY

LAURA DOUGLAS  
CHAIR

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May 21, 2004

Mayor Jerry E. Abramson  
Louisville/Jefferson County  
Metro Government  
601 West Jefferson Street  
Louisville, Kentucky 40202

Chief Robert White  
Louisville/Jefferson County  
Metro Police Department  
225 South Seventh Street  
Louisville, Kentucky 40202

**RE: Recommendations from the Citizen's Commission on Police Accountability  
following a Review of the Edward Litsey Investigation**

Dear Mayor Abramson and Chief White,

This letter contains the official recommendations of the Citizens Commission on Police Accountability after its review of the investigative file in the Edward Litsey traffic death.

After reviewing the case for several meetings, commission members found the investigation essentially adequate. In our view, while the designation "essentially adequate" denotes an acceptable investigative file, because it meets basic requirements, the line of questioning was not exceptional. In this regard, commission members also decided the investigative file could have been improved if police investigators asked more probing questions and all known witnesses had been interviewed. Questions did not appear to go far

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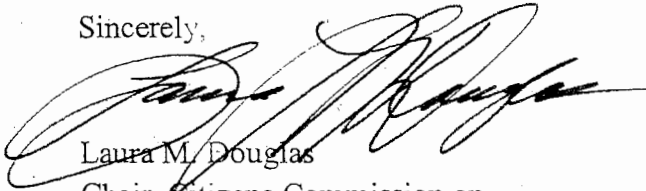
enough in trying to determine what actually happened at the intersection of Fourth and Winkler. No explanation was offered for failing to interview one party identified in the file as a witness.

It's also important to note that although the full commission didn't adopt a recommendation concerning the specific nature of additional questions that could have been asked by police investigators, during our discussions several commission members expressed their views that investigating officers should have asked Officer Fey why he didn't operate his lights and siren during the incident under review. Other commission members believed investigating officers should have asked Officer Fey what was the focus of his attention as he was driving.

As you are no doubt aware, citizens carefully scrutinize the manner in which police officers operate their vehicles as they move throughout the community. Plainly stated, citizens want to see if the officers will observe the same rules of the road to which everyone else is held accountable, with the exception of emergency calls as defined by the state statute and Louisville Jefferson County Metro Police Department procedures. For these reasons, commission members were very vigorous in their review and consideration of the Litsey investigative file. We are encouraged by Chief White's modification of the department's use of lights and sirens policy following Mr. Litsey's death. As modified, the policy now more clearly underscores all officers' obligations under state law.

Thank you for your review and consideration of the commission's recommendations. Please contact me should you have any questions.

Sincerely,



Laura M. Douglas  
Chair, Citizens Commission on  
Police Accountability

Cc: Commission members  
Mr. David Nicholson